

**FAIRFAX DEVELOPMENT REVIEW BOARD
GENERAL & HEARING MINUTES:**

Members Present: Jason Heyer, Nick Hibbard, Adam Fitzgerald, Michelle Dufresne

Public Present: Amber Soter, Z.A., David Burke, Bob Horr, Carol Stanley, Frank Spendley, Jim Harrison

7:00 PM- J. Heyer called the meeting to order. This meeting had in person attendance of the board, the Zoning Administrator and one applicant from each proposed project was permitted to attend in person if desired. The meeting was held via Zoom and interested parties were given the information in advance and able to attend. David Burke from O'Leary Burke attended in person to represent the Harrison's. The remaining public listed above attended via Zoom video and telephone conferencing.

7:02 Request of Kathy Harrison-Rabtoy for a Sketch Plan Review for a 5 lot subdivision of a parcel located at 469 McNall Road. Parcel ID MC0469.

The warning was read, and all parties were sworn in. J. Heyer asked the applicants if they would like him to recuse himself from these hearings as he has a family member who is an adjoining land owner and much history around the land. D. Burke and J. Harrison both stated they were okay with J. Heyer remaining a part of the proceedings.

D. Burke presented the plan on behalf of the Harrison's. The proposal is to subdivide the southerly portion of the property located at 469 McNall Road. This is the dead-end portion of McNall Road. The proposal was for 4 building lots. David discussed the septic areas. Lots 1 and 4 will have on lot septic and lots 2 and 3 will have easements. The septic will be located on remaining land of Harrison that is in the Town of Georgia. Each lot will have it's own well.

Much of the discussion was around the access. Currently the proposed access is off a Class 4 road. There were discussions between the Zoning Administrator, Town Manager, and Selectboard prior to this meeting about upgrading the road. The applicant has proposed to upgrade the Class 4 portion to meet or exceed the existing Class 3 portion of McNall Road. They are requesting an 18' width with 1' shoulders. The Fairfax Regulations leaves the upgrade requirement of Class 4 roads to the discretion of the DRB based on impact. It is understood that there will be a Memorandum of Understanding between the applicant and the Town about maintenance and responsibility. The Town does not plan to "take over" this portion of the road. The board was given a copy of the existing bridge's structural assessment performed by Hardy Structural Engineers. The bridge was deemed to be capable of supporting necessary weights for construction and logging.

The parent property is part of two districts in Fairfax. The rural district and the conservation district. The proposed lots are in the rural district. There was mention of a potential build out in the future on the remaining land. David was asked to show the districts on the map.

The question was asked about connecting the road to the Georgia side. There is no intention of doing that at this time but there is an existing ROW.

The Zoning Administrator was asked to provide this plan to the Fire Chief. She has asked D. Burke for a more detailed break out of the road plan with passing lanes and turn arounds indicated for review.

Public Input: B. Horr discussed why McNall road was expanded in the past and how the Town took over that portion. He expressed concerns about the width and length of the access and wanting to make sure that emergency access was easily accessible.

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C. Stanley asked which part of the road would be upgraded first and it was determined that the entire access road would be created at the same time taking about 2-3 weeks. She also expressed concern about safety of the bridge, the slopes and access. She asked about the bus and it was indicated that would be up to the school to determine a bus pick up location and it is customary for children in this town to have to be walked or driven to their stops in many locations.

F. Spendley had concerns over the brook being compromised. He discussed in the past how it had changed courses, washed out areas and more. Discussion about a previous culvert and could it be re-installed to help with water flow. D. Burke took notes and will look into this. Frank also mentioned there is a lot of construction waste and garbage that had been dumped for years and there may not be a lot of soil in that area to work with.

The board deemed this as a minor subdivision.

8:05- M. Dufresne made a motion to enter deliberative. **A. Fitzgerald 2nd**. All in favor.

8:20PM PM M. Dufresne made a motion to exist deliberative. **N. Hibbard 2nd**. All in favor.

8:21PM PM N. Hibbard moved to approve the Final Plat with the Findings of Fact listed, and the Conditions: A. Fitzgerald second. Wherefore, **Final approval was granted to the application with Conditions**, with the following people voting in the affirmative: J. Heyer, A. Fitzgerald, N. Hibbard, and M. Dufresne.

8:25 PM M. Dufresne made a motion to approve the Minutes from July 14, 2020. **A. Fitzgerald 2nd**. All in favor.

The Zoning Office received a request for an additional driveway location off Toof Road to benefit the property located at 10 Sunset View Road (Brock). This would be for a garage. The proposed area used to be a farm access and the Town previously used it as a turn around. The board did not have an issue with this. The main concern was to ensure that the new structure was within the building envelope on the Mylar. Before a permit can be issued, an approved access permit must be obtained. The change has been approved based on Section 3.2.F of the Fairfax Development Regulations.

8:45 M. Dufresne moved to approve the Mylar for Alec Grabb **A. Fitzgerald** second. All in favor

8:55 PM – A. Fitzgerald made a motion to adjourn. **N. Hibbard 2nd**. All in favor.

Respectfully submitted, Amber Soter, Zoning Administrator, DRB & Planning Commission Coordinator

Signed: _____ **Date:** _____
For the Development Review Board

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These draft minutes are unofficial until approved at the next regularly scheduled meeting. All motions were unanimous unless otherwise indicated.